

REMARKS

1. The Office Action of April 27, 2004 is hereby acknowledged. This Amendment Under 37 C.F.R. § 1.111 is being mailed by Express Mail, Mail Label No. EV 312734316 US on July 20, 2004 addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Therefore, this Amendment is timely filed. The shortened statutory period of three (3) months time period for response to this Office Action expires on July 27, 2004. Accordingly, this Amendment is timely filed. In the event that the Commissioner for Patents should determine that any additional extension of time is required for this Amendment to be timely filed and an appropriate fee is due for that extension of time, then the Commissioner for Patents is hereby authorized to charge Deposit Account Number 18-2222 for such appropriate fee.

2. In this Amendment, no claims have been added or cancelled. The original '503 Application contained one claim of invention and the '503 Application now has only one claim of invention. Therefore, no additional filing fee is due. In the event that the Commissioner for Patents should determine that any fee is due, then the Commissioner for Patents is hereby authorized to charge Deposit Account Number 18-2222 for the appropriate fee.

3. The Patent Examiner's detailed analysis of the '503 Application and the detailed explanation set forth in the Office Action is acknowledged with appreciation. In a preliminary action, the Patent Examiner objected to the length of the Abstract and that was amended through an appropriate Amendment mailed to the Patent Office on January 5, 2004. Therefore, the Abstract is of the appropriate length. In that same Office Action, the Patent Examiner objected to the drawings. The drawings were corrected to properly number the figures but a minor error

was made in that the last two figures were numbers 3 and 4 and these are not consistent with the patent text wherein Figure 3 should actually have been numbered 3a and Figure 4 should actually have been numbered 3b to make it consistent with the patent text. The entire drawings themselves are unchanged. Therefore, substitute patent drawings are attached. Specifically, the only change is that Figure 3 is renumbered 3a and Figure 4 is renumbered 3b to be consistent with the patent specification. Favorable ruling on acceptance of these drawing changes is requested so that substitute drawings with the Figures numbered 1, 2, 3a and 3b can be filed.

4. The Patent Examiner has indicated that Claim 1 is rejected under 35 § 102(b) as being clearly anticipated by the Chiang Patent 5,507,678. A careful examination of the Chiang reference clearly shows that there are very fundamental critical differences between the Chiang reference and the present invention.

4.01 In particular, the Chiang reference through most of the Figures 1 through 4 clearly shows that the opening extends in a crisscross diagonal manner through the arms and legs so that although the arms and legs can be pulled to make the legs longer or the arms longer, the fact is that they extend in completely opposite directions so that the two arms cannot be fastened together and the two legs cannot be fastened together because they extend far apart from each other. In Figures 5 and 6 of the Chiang Patent the arms are shown extending in an arcuate manner through the upper portion of the torso and the legs are shown extending in an arcuate manner through the lower portion of the torso but once again, the respective arms extend away from each other, the respective legs extend away from each other and the arms and legs extend away from each other. In Figure 5 of the Chiang Patent the arms are shown extending in an arcuate manner through the upper portion of the torso and the legs are shown extending in an arcuate manner through the lower portion of the torso but once again, the respective arms extend

away from each other, the respective legs extend away from each other and the arms and legs extend away from each other. Therefore, it is not possible to fasten the arms together or to fasten the legs together because the arms and the legs extend away from each other. Finally, in the embodiment shown in Figure 7, although the arms and legs are once again extending on the same side of the stuffed plush toy, once again as can be clearly seen, the arms and legs are formed in a generally arcuate manner so that the two arms extend away from each other, the two legs extend away from each other and the arms and legs extend away from each other so that once again it will not be possible to fasten the arms and legs together.

4.02 A fundamental difference in the present '503 Application is that the opening through the body part extends along the respective sides of the toy and the arms and the legs do not extend away from each other so that it is possible to fasten the arms together, to fasten the legs together, or to fasten an arm to a leg so that the transformable toy can hang from an object as illustrated in Figure 3a and 3b. This is extensively discussed in the text as being a major innovation of the present invention which is not disclosed or claimed in the Chiang Patent. Therefore, the Applicant has amended the claim of invention by adding Lines 10 through 13 in the claim of invention which read "each hand further comprising a mating hook and loop fastener and each foot further comprising a mating hook and loop fastener so that the two hands may be fastened together, the two feet may be fastened together or a foot and a hand may be fastened together to enable the transformable toy to hang from an object;". Therefore, this key innovative feature which differentiates the '503 Application from the Chiang reference has been added to the claim of invention. This is a major innovative feature because it permits the transformable toy to be fastened together through the hook and hoop fasteners so that the toy can be hung from an object as illustrated in Figures 3a and 3b. There is no way that the device shown in the Chiang device can be hung from any object because the arms extend away from

each other, legs extend away from each other and the arms and the legs extend away from each other as shown in the figures discussed above. Therefore, although the toy of Chiang permits the arms or legs to be pulled so that the arms can be longer or the legs can be longer, there is no way that they can be fastened together to lend the unique feature of the present invention to permit the transformable toy to hang from an object to give it more aesthetics and enjoyment. In addition, two transformable toys can be attached to each other by means of the hook and loop fasteners which once again, is not something that is possible with the Chiang reference.

4.03 In addition, the Chiang reference does not have any mating means by which the arms and legs can be fastened together. Therefore, in addition to the fact that the arms and legs extend away from each other, in the Chiang reference, the arms and legs do not have any mating means such as the hook and loop fasteners of the present '503 Application so there is no way that the arms and legs of the Chiang reference can be fastened together.

5. It is therefore respectfully submitted that with the additional limitations set forth in the claims the present invention clearly has a distinguishing feature which is not disclosed or claimed in the Chiang reference and is therefore allowable over the Chiang reference and issuance of a notice of allowance is respectfully solicited.

Respectfully submitted,

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